

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
DANIEL B. GRAVES,

Plaintiff,

: 07 Civ. 5471 (BSJ)  
:  
- against -  
:

DEUTSCHE BANK SECURITIES INC.,

Defendant.  
:  
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**MEMORANDUM OF LAW IN SUPPORT OF DEFENDANT’S  
UNOPPOSED MOTION TO FILE UNREDACTED BRIEF UNDER SEAL**

Defendant Deutsche Bank Securities Inc. (“DBSI”), by its attorneys, Sidley Austin LLP, respectfully submits this memorandum of law in support of its Unopposed Motion to File Unredacted Brief Under Seal.

DBSI recently filed a redacted version of its Response to Plaintiff’s Rule 72(a) Objections to the Magistrate Judge’s February 14, 2011 Orders (Docket # 114). The Orders that Plaintiff objected to concern Plaintiff’s claim of privilege for certain handwritten notes. In its Response to Plaintiff’s Rule 72(a) Objections to the Magistrate Judge’s February 14, 2011 Orders, DBSI quotes and paraphrases the content of the purportedly privileged notes, and redacted those portions in its public filing.

Pursuant to Rule 26(b)(5)(B) of the Federal Rules of Civil Procedure, purportedly privileged documents subject to challenge are to be submitted “to the court under seal for a determination of the claim.” (Plaintiff has recently sought leave to file the challenged notes under seal.) Accordingly, the unredacted version of DBSI’s Response to Plaintiff’s Rule 72(a)

Objections to the Magistrate Judge's February 14, 2011 Orders, which discusses the contents of the challenged notes, should be filed under seal.

We have been advised by counsel for the Plaintiff that Plaintiff does not oppose this motion.

A Proposed Order is being submitted herewith.

**CONCLUSION**

For the foregoing reasons, DBSI respectfully requests that the Court grant its Unopposed Motion to File Unredacted Brief Under Seal.

Dated: New York, New York  
March 21, 2011

SIDLEY AUSTIN LLP

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